

PHILLIP A. TALBERT
United States Attorney
JUSTIN L. LEE
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700

Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GILDARDO PEREZ AVILEZ,

Defendant.

CASE NO. 2:22-CR-00167-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 17, 2022
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 17, 2022.
2. By this stipulation, defendant now moves to continue the status conference until January 23, 2023, and to exclude time between October 17, 2022, and January 23, 2023 at 9:00 a.m., under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Counsel for defendant desires additional time review the discovery, meet with her client, conduct defense investigation, and otherwise prepare for trial.
 - b) Counsel for defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into

1 account the exercise of due diligence.

2 c) The government does not object to the continuance.

3 d) Based on the above-stated findings, the ends of justice served by continuing the
4 case as requested outweigh the interest of the public and the defendant in a trial within the
5 original date prescribed by the Speedy Trial Act.

6 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
7 et seq., within which trial must commence, the time period of October 17, 2022 to January 23,
8 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
9 T4] because it results from a continuance granted by the Court at defendant's request on the basis
10 of the Court's finding that the ends of justice served by taking such action outweigh the best
11 interest of the public and the defendant in a speedy trial.

12 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
13 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
14 must commence.

15 IT IS SO STIPULATED.

16
17 Dated: October 13, 2022

PHILLIP A. TALBERT
United States Attorney

18
19
20 /s/ JUSTIN L. LEE
JUSTIN L. LEE
Assistant United States Attorney

21
22 Dated: October 13, 2022

/s/ DINA SANTOS
DINA SANTOS
Counsel for Defendant
GILDARDO PEREZ AVILEZ

ORDER

IT IS SO FOUND AND ORDERED.

Dated: October 13, 2022



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE